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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 JOSHUA CRITTENDON,
11 Plaintiff,

12 vs.

13 JOSEPH LOMBARDO, *et al.*,
14 Defendants.
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CASE NO. 2:17-cv-01700-RFB-BNW

STATUS REPORT

18 Plaintiff Joshua Crittendon, by and through his counsel of record, Diana S. Ebron
19 and Karen L. Hanks of KIM GILBERT EBRON, Defendants Las Vegas Metropolitan
20 Police Department, Rogers, Sanchez, Torres, Brown, Patimeteeporn, Senior, Trost,
21 Verduzco, Binko, Reynolds, Johnson and Williams (the "LVMPD Defendants") by and
22 through their counsel of record, Nick D. Crosby and Jackie Nichols of MARQUIS
23 AURBACH COFFING, and Defendant Larry Williamson, M.D., by and through his
24 attorneys of record, S. Brent Vogel and Katherine J. Gordon of LEWIS BRISBOIS
25 BISGAARD & SMITH LLP, hereby submit their Status Report with updated requested
26 discovery dates.

27 On July 22, 2020 counsel for the parties participated in a conference to discuss
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whether discovery should be extended, the length of an extension, and corresponding new discovery deadlines. As a result of the conference, counsel request an updated Discovery Plan and Scheduling Order which reflects the dates set forth below. The Status Report is separated into two portions according to Plaintiff's claims; *i.e.* (1) the "LVMPD Claims", and (2) the "Medical Claims", according to the Honorable Richard F. Boulware's prior bifurcation of the case which provided for separate discovery and scheduling order dates. [ECF No. 136].

The parties hereby stipulate to the following:

I.

THE LVMPD CLAIMS

A. Discovery

Discovery is closed. Plaintiff reserves the right to file a request with the Court to reopen discovery.

B. Disclosures

New counsel for Plaintiff was recently appointed. Counsel for the LVMPD Defendants will forward Plaintiff counsel their prior disclosures submitted pursuant to Fed. R. Civ. P. 26. Counsel for the LVMPD Defendants will also forward Plaintiff counsel copies of all written discovery exchanged between the LVMPD Defendants and Plaintiff.

C. Dispositive Motions

The LVMPD Defendants previously filed a Motion for Summary Judgment [ECF No. 150] which was denied by the Court without prejudice to allow time for counsel to be appointed for Plaintiff. In order to provide new Plaintiff counsel time to review the prior disclosures and written discovery, a new due date for dispositive motions is provided, to expire on *Thursday, November 19, 2020* (which is 120 days from the date of the parties' Conference, July 22, 2020).

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II.**THE MEDICAL CLAIMS****A. Discovery**

This matter, including discovery, remains stayed until Plaintiff files his anticipated second amended complaint which, according to the Court, is to contain “an affidavit as it relates to Defendant Williamson and the medical malpractice claim previously raised” pursuant to N.R.S. 41A.071. [ECF No. 136].

The parties agree that Plaintiff will have an additional 90 days, from the date of this Status Report and stipulation, to file a second amended complaint. The new due date for a second amended complaint is *Tuesday, October 20, 2020*.

The parties further agree to a new discovery deadline of 180 days after Plaintiff files a second amended complaint. Counsel for Plaintiff and Dr. Williamson agree to file an Updated Status Report and Proposed Discovery Plan Regarding the Medical Claims following the filing of Plaintiff’s second amended complaint which will provide an exact discovery cut-off date.

B. Disclosures

New counsel for Plaintiff was recently appointed. Counsel for Dr. Williamson will forward Plaintiff counsel his prior disclosures submitted pursuant to Fed. R. Civ. P. 26. Counsel for Dr. Williamson will also forward Plaintiff counsel copies of all written discovery exchanged between Dr. Williamson and Plaintiff.

C. Experts

Pursuant to Fed. R. Civ. P. 26(a)(2) and L.R. 26-1(b)(3), the parties agree the due date for initial expert disclosures shall be 60 days before the discovery cut-off date and that rebuttal expert disclosures shall be made 30 days after the initial disclosure of experts. Counsel for Plaintiff and Dr. Williamson agree to file an Updated Status Report and Proposed Discovery Plan Regarding the Medical Claims following the filing of Plaintiff’s second amended complaint which will provide specific due dates for initial and rebuttal expert disclosures.

D. Dispositive Motions

The deadline for filing dispositive motions will be 30 days after the discovery cut-off date pursuant to L.R. 26-1(b)(4). Counsel for Plaintiff and Dr. Williamson agree to file an Updated Status Report and Proposed Discovery Plan Regarding the Medical Claims following the filing of Plaintiff's second amended complaint which will provide an exact due date for dispositive motions.

Dated this 24th day of July 2020.

Dated this 23rd day of July 2020.

KIM GILBERT EBRON

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Diana Ebron
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Attorneys for Defendant
Larry Williamson, M.D.

Dated this 23rd day of July 2020.

IT IS ORDERED that the Court ADOPTS as a Discovery Plan and Scheduling Order the dates set forth in this status report.

MARQUIS AURBACH COFFING

IT IS FURTHER ORDERED that by August 21, 2020, plaintiff shall file a status report indicating whether he continues to assert his motion at ECF No. 172 or whether he will withdraw it.

By: /s/ Jackie V. Nichols
Nick D. Crosby, Esq.
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Jackie V. Nichols, Esq.
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Attorney for LVMPD Defendants

IT IS SO ORDERED

DATED: 3:36 pm, July 28, 2020



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE